

1.12 ARTICLE 1
1.13 CONSTITUTIONAL AMENDMENT

1.13 Section 1. CONSTITUTIONAL AMENDMENT.

1.14 An amendment to the Minnesota Constitution is proposed to the people. If the
1.15 amendment is adopted, a section will be added to article XI, to read:

1.16 Sec. 15. Beginning July 1, 2007, until June 30, 2032, the sales and use tax rate shall be
1.17 increased by three-eighths of one percent on sales and uses taxable under the general state
1.18 sales and use tax law. Receipts from the increase, plus penalties and interest and reduced
1.19 by any refunds, are dedicated as follows: 34 percent of the receipts shall be deposited in
1.20 the heritage enhancement fund and may be spent only to improve, enhance, or protect the
1.21 state's fish, wildlife, habitat, and fish and wildlife tourism; 22 percent of the receipts shall
1.22 be deposited in the parks and trails fund and may be spent only on parks, trails, and zoos
1.23 in the state; 22 percent of the receipts shall be deposited in the clean water fund and may
1.24 be spent only on protection and restoration of the state's lakes, rivers, streams, wetlands,
1.25 and groundwater; and 22 percent of the receipts shall be deposited in the arts, humanities,
1.26 museum, and public broadcasting fund and may be spent only on arts, humanities, history,
1.27 museums, and public broadcasting. An arts, humanities, museum, and public broadcasting
2.1 fund; a heritage enhancement fund; a parks and trails fund; and a clean water fund are
2.2 created in the state treasury. The money dedicated under this section shall be appropriated
2.3 by law. The money dedicated under this section for fish, wildlife, habitat, fish and wildlife
2.4 tourism, parks, trails, zoos, protection and restoration of waters, arts, and history shall
2.5 not be used as a substitute for traditional funding sources for the purposes specified, but
2.6 the dedicated money shall supplement traditional sources of funding for those purposes.
2.7 Land acquired by fee with money deposited in the heritage enhancement fund under this
2.8 section must be open to public taking of fish and game during the open season unless
2.9 otherwise provided by law.

1.14 Section 1. CONSTITUTIONAL AMENDMENT.

1.15 An amendment to the Minnesota Constitution is proposed to the people. If the
1.16 amendment is adopted, a section will be added to article XI, to read:

1.17 Sec. 15. Beginning July 1, 2009, the sales and use tax receipts equal to the state sales
1.18 and use tax of 3/16 of one percent on sales and uses taxable under the general state sales
1.19 and use tax law, plus penalties and interest and reduced by any refunds, are dedicated as
1.20 follows: 60 percent of the receipts shall be deposited in the game and fish preservation
1.21 fund and may be spent only to provide hunter and angler access and for conservation to
1.22 improve, enhance, or protect game and fish habitat; 30 percent of the receipts shall be
1.23 deposited in the clean water fund and may be spent only on protection and restoration
1.24 of the state's lakes, rivers, streams, wetlands, and groundwater; five percent of the
1.25 receipts shall be deposited in the parks and trails fund and may be spent only on parks
1.26 and trails in the state; and five percent of the receipts shall be deposited in the arts and
2.1 public broadcasting fund and may be spent only on arts and public broadcasting in the
2.2 state. A game and fish preservation fund, a parks and trails fund, a clean water fund, and
2.3 an arts and public broadcasting fund are created in the state treasury. No noncommercial
2.4 radio station eligible for grants under Minnesota Statutes, section 129D.14, who holds
2.5 more than ten licenses to operate a noncommercial radio station issued by the Federal
2.6 Communications Commission is eligible for funding under this section. The money
2.7 dedicated under this section shall be appropriated by law. The money dedicated under this
2.8 section shall not be used as a substitute for traditional funding sources for the purposes
2.9 specified, but the dedicated money shall supplement traditional sources of funding for
2.10 those purposes without increasing any taxes or fees or imposing any new taxes or fees for
2.11 a period of seven years following adoption of the constitutional amendment. Easements
2.12 in land acquired with money deposited in the game and fish preservation fund under this
2.13 section must be open to public taking of fish and game during the open season unless
2.14 otherwise provided by law.

2.10 Sec. 2. SUBMISSION TO VOTERS.

2.11 The proposed amendment shall be submitted to the people at the 2006 general

2.12 election. The question submitted shall be:

2.13 "Shall the Minnesota Constitution be amended to provide funding beginning July 1,

2.14 2007, to improve, enhance, or protect the state's fish, wildlife, habitat, and fish and wildlife

2.15 tourism; its parks, trails, and zoos; its lakes, rivers, streams, wetlands, and groundwater;

2.16 and its arts, humanities, history, museums, and public broadcasting by increasing the sales

2.17 and use tax rate by three-eighths of one percent on taxable sales until the year 2032?

Yes

.....2.18

No

..... "2.19

2.15 Sec. 2. SUBMISSION TO VOTERS.

2.16 The proposed amendment shall be submitted to the people at the 2006 general

2.17 election. The question submitted shall be:

2.18 "Shall the Minnesota Constitution be amended to provide funding beginning July 1,

2.19 2009, for hunter and angler access; for conservation to improve, enhance, or protect the

2.20 state's game and fish habitat, its lakes, rivers, streams, wetlands, and groundwater, and its

2.21 parks and trails; and for arts and public broadcasting by dedicating the sales and use tax

2.22 receipts equal to the state sales and use tax of 3/16 of one percent on taxable sales?

Yes

.....2.23

No

..... "2.24

2.25 Sec. 3. EFFECTIVE DATE.

2.26 Sections 1 and 2 apply to sales and uses occurring after June 30, 2009.

2.27 ARTICLE 2

2.28 **CONFORMING CHANGES**

2.20 Sec. 3. Minnesota Statutes 2005 Supplement, section 10A.01, subdivision 35, is

2.21 amended to read:

2.22 Subd. 35. **Public official.** "Public official" means any:

2.23 (1) member of the legislature;

2.24 (2) individual employed by the legislature as secretary of the senate, legislative

2.25 auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or

2.26 attorney in the Office of Senate Counsel and Research or House Research;

2.27 (3) constitutional officer in the executive branch and the officer's chief administrative

2.28 deputy;

2.29 (4) solicitor general or deputy, assistant, or special assistant attorney general;

2.30 (5) commissioner, deputy commissioner, or assistant commissioner of any state

2.31 department or agency as listed in section 15.01 or 15.06, or the state chief information

2.32 officer;

3.1 (6) member, chief administrative officer, or deputy chief administrative officer of a

3.2 state board or commission that has either the power to adopt, amend, or repeal rules under

3.3 chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

3.4 (7) individual employed in the executive branch who is authorized to adopt, amend,

3.5 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

- 3.6 (8) executive director of the State Board of Investment;
- 3.7 (9) deputy of any official listed in clauses (7) and (8);
- 3.8 (10) judge of the Workers' Compensation Court of Appeals;
- 3.9 (11) administrative law judge or compensation judge in the State Office of
- 3.10 Administrative Hearings or referee in the Department of Employment and Economic
- 3.11 Development;
- 3.12 (12) member, regional administrator, division director, general counsel, or operations
- 3.13 manager of the Metropolitan Council;
- 3.14 (13) member or chief administrator of a metropolitan agency;
- 3.15 (14) director of the Division of Alcohol and Gambling Enforcement in the
- 3.16 Department of Public Safety;
- 3.17 (15) member or executive director of the Higher Education Facilities Authority;
- 3.18 (16) member of the board of directors or president of Minnesota Technology, Inc.; ~~or~~
- 3.19 (17) member of the board of directors or executive director of the Minnesota State
- 3.20 High School League; or
- 3.21 (18) member of the Heritage Enhancement Council.
- 3.22 **EFFECTIVE DATE.** This section is effective November 15, 2006, if the
- 3.23 constitutional amendment proposed in section 1 is adopted by the voters.

3.7 Sec. 3. **[84.992] ACCESS TO MINNESOTA OUTDOORS.**

- 3.8 Subdivision 1. **Walk-in access plan.** (a) The commissioner shall create a walk-in
- 3.9 public access plan under which the commissioner may encourage owners and operators of
- 3.10 privately held land to voluntarily make that land available for walk-in access by the public
- 3.11 for hunting and fishing under programs administered by the commissioner and funded by
- 3.12 revenue created under the Minnesota Constitution, article XI, section 15.
- 3.13 (b) As part of the plan, the commissioner shall explore entering into contracts with
- 3.14 the owners or lessees of land for the establishment of voluntary walk-in public access for
- 3.15 the purposes of hunting, fishing, or other wildlife-dependent recreational activities.
- 3.16 (c) In the plan, the commissioner must describe:
- 3.17 (1) the benefits that private land will provide the public, such as hunting, fishing,
- 3.18 bird watching, and related outdoor activities; and
- 3.19 (2) the types of game, fish, and wildlife habitat improvements made to the land that
- 3.20 will enhance public uses.

3.21 (d) The commissioner shall explore walk-in access programs in other states and to
 3.22 develop a walk-in program for public access to private lands for hunting, fishing, and
 3.23 related recreational activities.

3.24 Subd. 2. **Preemption.** Nothing in this section is intended to preempt other state
 3.25 laws, including trespass and liability laws.

3.26 Subd. 3. **Report.** Before implementation, the commissioner must present the
 3.27 walk-in plan to the house and senate committees with jurisdiction over natural resources
 3.28 policy and finance, with recommendations on program implementation, by December
 3.29 31, 2008.

3.24 Sec. 4. **[85.0195] PARKS AND TRAILS FUND; EXPENDITURES.**

3.25 Subdivision 1. **Fund.** The parks and trails fund is established in the Minnesota
 3.26 Constitution, article XI, section 15. All money earned by the parks and trails fund must
 3.27 be credited to the fund.

3.28 Subd. 2. **Expenditures.** Money in the parks and trails fund may be spent only on
 3.29 state and regional parks, trails, and zoos. Subject to the appropriation by law, receipts to
 3.30 the fund must be allocated in separate accounts as follows:

3.31 (1) 38 percent of the receipts may be spent only for state park and recreation area
 3.32 purposes;

3.33 (2) 11 percent of the receipts may be spent only for state trail purposes;

3.34 (3) 36 percent of the receipts may be spent only for metropolitan area, as defined in
 3.35 section 473.121, regional park and trail grants;

4.1 (4) 12 percent of the receipts may be spent only for nonmetropolitan regional parks
 4.2 and trails, outdoor recreation grants, natural and scenic area grants, trail connection grants,
 4.3 regional trail grants, and grant-in-aid trails; and

4.4 (5) three percent of the receipts may be spent only for the Minnesota Zoological
 4.5 Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

4.6 **EFFECTIVE DATE.** This section is effective July 1, 2007, if the constitutional
 4.7 amendment proposed in section 1 is adopted by the voters.

4.8 Sec. 5. **[97A.056] HERITAGE ENHANCEMENT FUND; HERITAGE**
 4.9 **ENHANCEMENT COUNCIL.**

4.10 Subdivision 1. **Heritage enhancement fund.** The heritage enhancement fund is
 4.11 established in the Minnesota Constitution, article XI, section 15. All money earned by
 4.12 the heritage enhancement fund must be credited to the fund. At least 97 percent of the
 4.13 money appropriated from the fund must be spent on specific fish, wildlife, habitat, and
 4.14 fish and wildlife tourism projects.

4.15 Subd. 2. **Heritage Enhancement Council.** (a) A Heritage Enhancement Council of
 4.16 11 members is created, on November 15, 2006, consisting of:

4.17 (1) two members of the senate appointed by the senate Subcommittee on Committees
 4.18 of the Committee on Rules and Administration;

4.19 (2) two members of the house of representatives appointed by the speaker of the
 4.20 house;

4.21 (3) two public members representing hunting, fishing, and wildlife interests
 4.22 appointed by the senate Subcommittee on Committees of the Committee on Rules and
 4.23 Administration;

4.24 (4) two public members representing hunting, fishing, and wildlife interests
 4.25 appointed by the speaker of the house; and

4.26 (5) three public members representing hunting, fishing, and wildlife interests
 4.27 appointed by the governor.

4.28 (b) One member from the senate and one member from the house of representatives
 4.29 must be from the minority caucus. Legislative members are entitled to reimbursement
 4.30 for per diem expenses plus travel expenses incurred in the services of the council. The
 4.31 removal and, beginning July 1, 2007, the compensation of public members are as provided
 4.32 in section 15.0575.

4.33 (c) Members shall elect a chair, vice chair, secretary, and other officers as determined
 4.34 by the council. The chair may convene meetings as necessary to conduct the duties
 4.35 prescribed by this section.

5.1 (d) Membership terms are two years, except that members shall serve on the council
 5.2 until their successors are appointed.

5.3 (e) Vacancies occurring on the council do not affect the authority of the remaining
 5.4 members of the council to carry out their duties. Vacancies shall be filled in the same
 5.5 manner as under paragraph (a).

5.6 Subd. 3. **Duties of council.** (a) The council, in consultation with statewide and local
 5.7 fishing, forestry, hunting, and wildlife groups, shall develop a biennial budget plan for
 5.8 expenditures from the heritage enhancement fund. The biennial budget plan may include
 5.9 grants to statewide and local fishing, forestry, hunting, and wildlife groups to improve,

2.29 Section 1. **[84.946] GAME AND FISH PRESERVATION FUND.**

2.30 The commissioner of finance shall create a game and fish preservation fund upon the
 2.31 effective date of article 1, section 3. The fund shall consist of revenue deposited under the
 2.32 Minnesota Constitution, article XI, section 15.

3.1 Sec. 2. **[84.947] GAME AND FISH PRESERVATION FUND; EXPENDITURE**
 3.2 **ALLOCATION.**

3.3 The commissioner of natural resources Budgetary Oversight Committee, under
 3.4 Minnesota Statutes, section 97A.055, subdivision 4b, shall allocate expenditures from the
 3.5 game and fish preservation fund. The recommendations must be for projects that provide
 3.6 hunter and angler access and to improve, enhance, or protect game and fish habitat.

3.30 Sec. 4. Minnesota Statutes 2005 Supplement, section 97A.055, subdivision 4b, is
 3.31 amended to read:

3.32 Subd. 4b. **Citizen oversight subcommittees.** (a) The commissioner shall appoint
 3.33 subcommittees of affected persons to review the reports prepared under subdivision 4;
 3.34 review the proposed work plans and budgets for the coming year; propose changes
 4.1 in policies, activities, and revenue enhancements or reductions; review other relevant
 4.2 information; and make recommendations to the legislature and the commissioner for
 4.3 improvements in the management and use of money in the game and fish fund.

4.4 (b) The commissioner shall appoint the following subcommittees, each comprised
 4.5 of at least three affected persons:

4.6 (1) a Fisheries Operations Subcommittee to review fisheries funding, excluding
 4.7 activities related to trout and salmon stamp funding;

4.8 (2) a Wildlife Operations Subcommittee to review wildlife funding, excluding
 4.9 activities related to migratory waterfowl, pheasant, and turkey stamp funding and
 4.10 excluding review of the amounts available under section 97A.075, subdivision 1,
 4.11 paragraphs (b) and (c);

4.12 (3) a Big Game Subcommittee to review the report required in subdivision 4,
 4.13 paragraph (a), clause (2);

4.14 (4) an Ecological Services Operations Subcommittee to review ecological services
 4.15 funding;

4.16 (5) a subcommittee to review game and fish fund funding of enforcement, support
 4.17 services, and Department of Natural Resources administration;

4.18 (6) a subcommittee to review the trout and salmon stamp report and address funding
 4.19 issues related to trout and salmon;

4.20 (7) a subcommittee to review the report on the migratory waterfowl stamp and
 4.21 address funding issues related to migratory waterfowl;

5.10 enhance, or protect fish and wildlife resources.

5.11 (b) In the biennial budget submitted to the legislature, the governor shall submit

5.12 separate budget detail for planned expenditures from the heritage enhancement fund

5.13 as recommended by the council.

5.14 (c) As a condition of acceptance of an appropriation from the heritage enhancement

5.15 fund, an agency or entity receiving an appropriation shall submit a work program and

5.16 quarterly progress reports for appropriations from the heritage enhancement fund to the

5.17 members of the Heritage Enhancement Council in the form determined by the council.

5.18 Subd. 4. **Council administration.** (a) The council may employ personnel and

5.19 contract with consultants as necessary to carry out functions and duties of the council.

5.20 Permanent employees shall be in the unclassified service. The council may request staff

5.21 assistance, legal opinion, and data from agencies of state government as needed for the

5.22 execution of the responsibilities of the council.

5.23 (b) Beginning July 1, 2007, the administrative expenses of the council shall be

5.24 paid from the heritage enhancement fund.

5.25 (c) A council member or an employee of the council may not participate in or vote

5.26 on a decision of the council relating to an organization in which the member or employee

5.27 has either a direct or indirect personal financial interest. While serving on or employed by

5.28 the council, a person shall avoid any potential conflict of interest.

5.29 Subd. 5. **Council meetings.** Meetings of the council and other groups the council

5.30 may establish must be conducted in accordance with chapter 13D. Except where prohibited

5.31 by law, the council shall establish additional processes to broaden public involvement

5.32 in all aspects of its deliberations.

5.33 **EFFECTIVE DATE.** This section is effective November 15, 2006, if the

5.34 constitutional amendment proposed in section 1 is adopted by the voters.

6.1 Sec. 6. **[103F.765] CLEAN WATER FUND; CLEAN WATER COUNCIL;**

6.2 **EXPENDITURES.**

6.3 Subdivision 1. **Fund.** The clean water fund is established in the Minnesota

6.4 Constitution, article XI, section 15. All money earned by the clean water fund must be

6.5 credited to the fund.

6.6 Subd. 2. **Expenditures.** Subject to appropriation, money in the clean water fund

6.7 may be spent only on:

6.8 (1) monitoring, investigations, and analysis of the quality of Minnesota's water

6.9 resources;

6.10 (2) state and local activities to protect, preserve, and improve the quality of

6.11 Minnesota's water resources; and

4.22 (8) a subcommittee to review the report on the pheasant stamp and address funding

4.23 issues related to pheasants; and

4.24 (9) a subcommittee to review the report on the turkey stamp and address funding

4.25 issues related to wild turkeys.

4.26 (c) The chairs of each of the subcommittees shall form a Budgetary Oversight

4.27 Committee to coordinate the integration of the subcommittee reports into an annual

4.28 report to the legislature; recommend changes on a broad level in policies, activities, and

4.29 revenue enhancements or reductions; provide a forum to address issues that transcend the

4.30 subcommittees; and submit a report for any subcommittee that fails to submit its report

4.31 in a timely manner.

4.32 (d) The Budgetary Oversight Committee shall develop recommendations for a

4.33 biennial budget plan and report for expenditures on game and fish activities. By August 15

4.34 of each even-numbered year, the committee shall submit the budget plan recommendations

4.35 to the commissioner and to the senate and house committees with jurisdiction over natural

5.1 resources finance. In addition, the committee must review and decide on recommended

5.2 expenditures from the game and fish preservation fund under section 84.946.

5.3 (e) Each subcommittee shall choose its own chair, except that the chair of the

5.4 Budgetary Oversight Committee shall be appointed by the commissioner and may not

5.5 be the chair of any of the subcommittees.

5.6 (f) The Budgetary Oversight Committee must make recommendations to the

5.7 commissioner and to the senate and house committees with jurisdiction over natural

5.8 resources finance for outcome goals from expenditures.

5.9 (g) Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the

5.10 Budgetary Oversight Committee and subcommittees do not expire until June 30, 2010.

5.11 Expenses for performing their duties under this section are governed by section 15.059,

5.12 subdivision 6.

6.12 (3) assistance to individuals and organizations for water quality improvement
 6.13 projects.

6.14 Subd. 3. **Clean Water Council; membership; appointment.** A Clean Water
 6.15 Council of 21 members is created. The members of the council shall elect a chair from the
 6.16 nonagency members of the council. The commissioners of natural resources, agriculture,
 6.17 and the Pollution Control Agency, and the executive director of the Board of Water and
 6.18 Soil Resources, shall appoint one person from their respective agency to serve as a
 6.19 member of the council. Seventeen additional nonagency members of the council shall
 6.20 be appointed as follows:

6.21 (1) two members representing statewide farm organizations, appointed by the
 6.22 governor;

6.23 (2) one member representing business organizations, appointed by the governor;

6.24 (3) one member representing environmental organizations, appointed by the
 6.25 governor;

6.26 (4) one member representing soil and water conservation districts, appointed by
 6.27 the governor;

6.28 (5) one member representing watershed districts, appointed by the governor;

6.29 (6) one member representing organizations focused on improvement of Minnesota
 6.30 lakes or streams, appointed by the governor;

6.31 (7) two members representing an organization of county governments, one member
 6.32 representing the interests of rural counties, and one member representing the interests of
 6.33 counties in the seven-county metropolitan area, appointed by the governor;

6.34 (8) two members representing organizations of city governments, appointed by
 6.35 the governor;

7.1 (9) one member representing the Metropolitan Council established under section
 7.2 473.123, appointed by the governor;

7.3 (10) one township officer, appointed by the governor;

7.4 (11) one member of the house of representatives, appointed by the speaker;

7.5 (12) one member of the senate, appointed by the majority leader;

7.6 (13) one member representing the University of Minnesota or a Minnesota state
 7.7 university, appointed by the governor; and

7.8 (14) one member representing the interests of tribal governments, appointed by
 7.9 the governor.

7.10 The members of the council appointed by the governor are subject to the advice
 7.11 and consent of the senate. At least six of the members appointed by the governor must

7.12 reside in the seven-county metropolitan area. In making appointments, the governor must
 7.13 attempt to provide for geographic balance.

7.14 Subd. 4. **Terms; compensation; removal.** The terms of members representing the
 7.15 state agencies and the Metropolitan Council are four years and are coterminous with the
 7.16 governor. The terms of other members of the council shall be as provided in section
 7.17 15.059, subdivision 2. Members may serve until their successors are appointed and
 7.18 qualify. Compensation and removal of council members is as provided in section 15.059,
 7.19 subdivisions 3 and 4. A vacancy on the council may be filled by the appointing authorities,
 7.20 as provided in subdivision 3, for the remainder of the unexpired term.

7.21 Subd. 5. **Recommendations on appropriation of funds.** The Clean Water Council
 7.22 shall recommend to the governor the manner in which money from the clean water fund
 7.23 should be appropriated for the purposes identified in subdivision 2.

7.24 Subd. 6. **Biennial report to legislature.** By December 1 of each even-numbered
 7.25 year, the council shall submit a report to the legislature on the activities for which money
 7.26 from the clean water fund has been or will be spent for the current biennium, and the
 7.27 activities for which money from the account is recommended to be spent in the next
 7.28 biennium.

7.29 Subd. 7. **Council meetings.** Meetings of the council and other groups the council
 7.30 may establish must be conducted in accordance with chapter 13D. Except where prohibited
 7.31 by law, the council shall establish additional processes to broaden public involvement
 7.32 in all aspects of its deliberations.

7.33 **EFFECTIVE DATE.** This section is effective July 1, 2007, if the constitutional
 7.34 amendment proposed in section 1 is adopted by the voters.

8.1 Sec. 7. **[129D.17] ARTS, HUMANITIES, MUSEUM, AND PUBLIC**

8.2 **BROADCASTING FUND; EXPENDITURES.**

8.3 Subdivision 1. **Fund.** The arts, humanities, museum, and public broadcasting fund
 8.4 is established in the Minnesota Constitution, article XI, section 15. All money earned
 8.5 by the fund must be credited to the fund.

8.6 Subd. 2. **Expenditures.** Subject to appropriation, receipts in the fund must be
 8.7 allocated by the commissioner of finance as follows:

8.8 (1) 43 percent to the Minnesota State Arts Board;

8.9 (2) 23 percent to the Minnesota Historical Society;

8.10 (3) 23 percent to public broadcasting;

8.11 (4) four percent to the Science Museum of Minnesota;

8.12 (5) 3.5 percent to the Humanities Commission;

8.13 (6) 2.5 percent to the Minnesota Film Board; and

8.14 (7) one percent to the Minnesota Children's Museum and the Duluth Children's
 8.15 Museum.

8.16 Money allocated to the Minnesota State Arts Board may not be used for
 8.17 administrative purposes. If one of the above entities ceases to exist, then the appropriated
 8.18 money must be allocated proportionally among the remaining entities.

8.19 **EFFECTIVE DATE.**This section is effective July 1, 2007, if the constitutional
 8.20 amendment proposed in section 1 is adopted by the voters.

8.21 Sec. 8. Minnesota Statutes 2004, section 297A.62, subdivision 1, is amended to read:
 8.22 Subdivision 1. **Generally.** (a) Except as otherwise provided in subdivision 2 or 3
 8.23 or in this chapter, a sales tax of 6.5 percent is imposed on the gross receipts from retail
 8.24 sales as defined in section 297A.61, subdivision 4, made in this state or to a destination
 8.25 in this state by a person who is required to have or voluntarily obtains a permit under
 8.26 section 297A.83, subdivision 1.

8.27 (b) The increased rate required under the Minnesota Constitution, article XI, section
 8.28 15, shall be added to the rate imposed under paragraph (a).

8.29 **EFFECTIVE DATE.**This section is effective July 1, 2007, if the constitutional
 8.30 amendment proposed in section 1 is adopted by the voters.

8.31 Sec. 9. Minnesota Statutes 2004, section 297A.94, is amended to read:
 8.32 **297A.94 DEPOSIT OF REVENUES.**

9.1 (a) Except as provided in this section and the Minnesota Constitution, article XI,
 9.2 section 15, the commissioner shall deposit the revenues, including interest and penalties,
 9.3 derived from the taxes imposed by this chapter in the state treasury and credit them to the
 9.4 general fund.

9.5 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
 9.6 account in the special revenue fund if:

9.7 (1) the taxes are derived from sales and use of property and services purchased for
 9.8 the construction and operation of an agricultural resource project; and

9.9 (2) the purchase was made on or after the date on which a conditional commitment
 9.10 was made for a loan guaranty for the project under section 41A.04, subdivision 3.

9.11 The commissioner of finance shall certify to the commissioner the date on which the
 9.12 project received the conditional commitment. The amount deposited in the loan guaranty
 9.13 account must be reduced by any refunds and by the costs incurred by the Department of
 9.14 Revenue to administer and enforce the assessment and collection of the taxes.

9.15 (c) The commissioner shall deposit the revenues, including interest and penalties,
 9.16 derived from the taxes imposed on sales and purchases included in section 297A.61,

5.13 Sec. 5. Minnesota Statutes 2004, section 297A.94, is amended to read:
 5.14 **297A.94 DEPOSIT OF REVENUES.**

5.15 (a) Except as provided in this section and the Minnesota Constitution, article XI,
 5.16 section 15, the commissioner shall deposit the revenues, including interest and penalties,
 5.17 derived from the taxes imposed by this chapter in the state treasury and credit them to the
 5.18 general fund.

5.19 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
 5.20 account in the special revenue fund if:

5.21 (1) the taxes are derived from sales and use of property and services purchased for
 5.22 the construction and operation of an agricultural resource project; and

5.23 (2) the purchase was made on or after the date on which a conditional commitment
 5.24 was made for a loan guaranty for the project under section 41A.04, subdivision 3.

5.25 The commissioner of finance shall certify to the commissioner the date on which the
 5.26 project received the conditional commitment. The amount deposited in the loan guaranty
 5.27 account must be reduced by any refunds and by the costs incurred by the Department of
 5.28 Revenue to administer and enforce the assessment and collection of the taxes.

5.29 (c) The commissioner shall deposit the revenues, including interest and penalties,
 5.30 derived from the taxes imposed on sales and purchases included in section 297A.61,

9.17 subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them
9.18 as follows:

9.19 (1) first to the general obligation special tax bond debt service account in each fiscal
9.20 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

9.21 (2) after the requirements of clause (1) have been met, the balance to the general
9.22 fund.

9.23 (d) The commissioner shall deposit the revenues, including interest and penalties,
9.24 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
9.25 general fund. By July 15 of each year the commissioner shall transfer to the highway user
9.26 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
9.27 subdivision 5, for the previous calendar year.

9.28 (e) For fiscal year 2001, 97 percent; for fiscal years 2002 and 2003, 87 percent; and
9.29 for fiscal year 2004 and thereafter, 72.43 percent of the revenues, including interest and
9.30 penalties, transmitted to the commissioner under section 297A.65, must be deposited by
9.31 the commissioner in the state treasury as follows:

9.32 (1) 50 percent of the receipts must be deposited in the heritage enhancement account
9.33 in the game and fish fund, and may be spent only on activities that improve, enhance, or
9.34 protect fish and wildlife resources, including conservation, restoration, and enhancement
9.35 of land, water, and other natural resources of the state;

10.1 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and
10.2 may be spent only for state parks and trails;

10.3 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and
10.4 may be spent only on metropolitan park and trail grants;

10.5 (4) three percent of the receipts must be deposited in the natural resources fund, and
10.6 may be spent only on local trail grants; and

10.7 (5) two percent of the receipts must be deposited in the natural resources fund,
10.8 and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and
10.9 Conservatory, and the Duluth Zoo.

10.10 (f) The revenue dedicated under paragraph (e) may not be used as a substitute
10.11 for traditional sources of funding for the purposes specified, but the dedicated revenue
10.12 shall supplement traditional sources of funding for those purposes. Land acquired with
10.13 money deposited in the game and fish fund under paragraph (e) must be open to public
10.14 hunting and fishing during the open season, except that in aquatic management areas or
10.15 on lands where angling easements have been acquired, fishing may be prohibited during
10.16 certain times of the year and hunting may be prohibited. At least 87 percent of the money
10.17 deposited in the game and fish fund for improvement, enhancement, or protection of fish
10.18 and wildlife resources under paragraph (e) must be allocated for field operations.

10.19 **EFFECTIVE DATE.** This section is effective July 1, 2007, if the constitutional

5.31 subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them
5.32 as follows:

5.33 (1) first to the general obligation special tax bond debt service account in each fiscal
5.34 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

6.1 (2) after the requirements of clause (1) have been met, the balance to the general
6.2 fund.

6.3 (d) The commissioner shall deposit the revenues, including interest and penalties,
6.4 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
6.5 general fund. By July 15 of each year the commissioner shall transfer to the highway user
6.6 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
6.7 subdivision 5, for the previous calendar year.

6.8 (e) For fiscal year 2001, 97 percent; for fiscal years 2002 and 2003, 87 percent; and
6.9 for fiscal year 2004 and thereafter, 72.43 percent of the revenues, including interest and
6.10 penalties, transmitted to the commissioner under section 297A.65, must be deposited by
6.11 the commissioner in the state treasury as follows:

6.12 (1) 50 percent of the receipts must be deposited in the heritage enhancement account
6.13 in the game and fish fund, and may be spent only on activities that improve, enhance, or
6.14 protect fish and wildlife resources, including conservation, restoration, and enhancement
6.15 of land, water, and other natural resources of the state;

6.16 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and
6.17 may be spent only for state parks and trails;

6.18 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and
6.19 may be spent only on metropolitan park and trail grants;

6.20 (4) three percent of the receipts must be deposited in the natural resources fund, and
6.21 may be spent only on local trail grants; and

6.22 (5) two percent of the receipts must be deposited in the natural resources fund,
6.23 and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and
6.24 Conservatory, and the Duluth Zoo.

6.25 (f) The revenue dedicated under paragraph (e) may not be used as a substitute
6.26 for traditional sources of funding for the purposes specified, but the dedicated revenue
6.27 shall supplement traditional sources of funding for those purposes. Land acquired with
6.28 money deposited in the game and fish fund under paragraph (e) must be open to public
6.29 hunting and fishing during the open season, except that in aquatic management areas or
6.30 on lands where angling easements have been acquired, fishing may be prohibited during
6.31 certain times of the year and hunting may be prohibited. At least 87 percent of the money
6.32 deposited in the game and fish fund for improvement, enhancement, or protection of fish
6.33 and wildlife resources under paragraph (e) must be allocated for field operations.

10.20 amendment proposed in section 1 is adopted by the voters.

10.21 Sec. 10. Minnesota Statutes 2004, section 297B.02, subdivision 1, is amended to read:

10.22 Subdivision 1. **Rate.** There is imposed an excise tax at the rate provided in ~~chapter~~

10.23 ~~297A~~ section 297A.62, subdivision 1, paragraph (a), on the purchase price of any motor

10.24 vehicle purchased or acquired, either in or outside of the state of Minnesota, which is

10.25 required to be registered under the laws of this state.

10.26 The excise tax is also imposed on the purchase price of motor vehicles purchased

10.27 or acquired on Indian reservations when the tribal council has entered into a sales tax on

10.28 motor vehicles refund agreement with the state of Minnesota.

10.29 **EFFECTIVE DATE.** This section is effective July 1, 2007, if the constitutional

10.30 amendment proposed in section 1 is adopted by the voters.

6.34 Sec. 6. **EFFECTIVE DATE.**

7.1 Sections 1, 2, 4, and 5 are effective July 1, 2009, if the constitutional amendment

7.2 proposed in article 1 is adopted by the voters. Section 3 is effective the day following

7.3 final enactment.